IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19987 of 2004

Between:

R.Ramesh S/o.P Venkaiah
R/o.7-2-500/1, Monda Market, Hyderabad.

..... PETITIONER

AND

1 State Election Commission Government of Andhra Pradesh
Budda Bhavan, Secunderabad Rep. by its Commissioner.
2 Electoral Rolls Registration Officer 208-Sanathanagar Assembly Constitutency and Additional Commissioner Municipal Corporation of Hyderabad, Secunderabad.
3 Returning Officer 87th Ward, C/o.Hyderabad Municipal Corporation
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ (i) declaring the action of the Electoral Roll Registration officer in not making necessary corrections in Eletoral Roll before qualifying date, i.e to fill up the casual vacancy in the office of the Member of the Corporation as illegal and arbitrary (ii) direct the respondent Electoral Roll Registration Officer to rectify the clerical/typographical error in pursuance of the application of the petitioner dated 21.9.2004, iii) direct the respondent Election officer/Returning Officer to treat that the petitioner is qualified person being elected as member in terms of Section 21 of the Act.

Counsel for the Petitioner:MR.G.VIDYASAGAR

Counsel for the Respondent No.1:MR K.G.K.PRASAD

Counsel for the Respondent Nos.2&3: SMT.G.JYOTHI KIRAN

The Court, at the stage of admission, made the following :

ORDER

Election Commission of India issued the Photo Identity Card to the petitioner with the number AP/31/208/249234, a copy of which is annexed along with the writ petition. But in the electoral roll at serial No.97, with the same identity card number, instead of the petitioner's name it was mentioned as Uma Rani (wife), (father P. Venkaiah) and immediately at serial No.98 again it is mentioned as Uma Rani, (husband P. Ramesh). In view of the same, petitioner made an application on 21.9.2004 before the respondents for correction of his name at serial No.97. This writ petition is filed complaining that no action has been taken so far.

In view of the above, the second respondent is hereby directed to consider the application of the petitioner dated 21.9.2004 and pass appropriate orders with regard to the correction at Serial No.97 of Electoral Roll: 2004, State (SOI), A.P., as per the relevant Rules.

The writ petition, with the above direction, is disposed of. No costs.

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A. GOPAL REDDY. J.

1st November, 2004

tsr.

To

1 The Commissioner, State Election Commission, Government of Andhra Pradesh Budda Bhavan, Secunderabad.
2 Electoral Rolls Registration Officer 208-Sanathanagar Assembly Constituency and Additional Commissioner Municipal Corporation of Hyderabad, Secunderabad.
3 Returning Officer, 87th Ward, C/o.Hyderabad Municipal Corporation Hyderabad.

4 Two CD copies.